

1 MARK D. FOWLER, Bar No. 124235  
2 mark.fowler@dlapiper.com  
3 DAVID ALBERTI, Bar No. 220625  
4 david.alberti@dlapiper.com  
5 CHRISTINE K. CORBETT, Bar No. 209128  
6 christine.corbett@dlapiper.com  
7 YAKOV M. ZOLOTOREV, Bar No. 224260  
8 yakov.zolotarev@dlapiper.com  
9 CARRIE L. WILLIAMSON, Bar No. 230873  
10 carrie.williamson@dlapiper.com

11 DLA PIPER US LLP  
12 2000 University Avenue  
13 East Palo Alto, CA 94303-2214  
14 Tel: 650.833.2000  
15 Fax: 650.833.2001

16 Attorneys for  
17 Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT  
12  
13 NORTHERN DISTRICT OF CALIFORNIA  
14  
15 SAN FRANCISCO DIVISION

16 NETWORK APPLIANCE, INC.

17 Plaintiff/Counterdefendant,

18 v.

19 SUN MICROSYSTEMS, INC.,

20 Defendant/Counterplaintiff.

CASE NO. C-07-06053 EDL (JCS); C-07-  
05488 EDL (JCS); C-08-1641 EDL (JCS)

**~~PROPOSED~~ ORDER AND  
STIPULATION REGARDING  
EXTENSION TO EXCHANGE  
SETTLEMENT PROPOSALS**

21 Sun Microsystems, Inc. ("Sun") and Network Appliance, Inc. ("NetApp"), by and through  
22 their undersigned attorneys of record, hereby stipulate and agree as follows:

23 (1) No later than April 29, 2008, Sun and NetApp shall each make a settlement  
24 proposal, in writing, with a copy to Judge Spero;

25 (2) No later than May 6, 2008, Sun and NetApp shall each respond and make a  
26 counter-proposal, in writing, with a copy to Judge Spero;

27 -1-

(3) All other dates set forth in the March 3, 2008 and April 4, 2008 Notices of Settlement Conference and Settlement Conference Orders remain unchanged.

Dated: April 24, 2008

DLA PIPER US LLP

/s/ Christine K. Corbett

MARK D. FOWLER  
DAVID ALBERTI  
CHRISTINE K. CORBETT  
YAKOV M. ZOLOTOREV  
CARRIE L. WILLIAMSON  
Attorneys for  
Sun Microsystems, Inc.

Dated: April 24, 2008

/s/ Jill J. Ho

Matthew D. Powers  
Edward R. Reines  
Jeffrey G. Homrig  
Jill J. Ho  
WEIL, GOTSHAL & MANGES LLP  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

Attorneys for  
Network Appliance, Inc.

IT IS SO ORDERED

Dated: April 28, 2008

